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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 ANGELA ALLEN, individually,
10 Plaintiff,

11 vs.

12 TARGET CORPORATION, a Foreign Corporation;
DOES I – X, inclusive; and ROE
13 CORPORATIONS I – X, inclusive,
14 Defendants.

CASE NO.: [2:17-cv-02204-APG-NJK](#)

**STIPULATION FOR EXTENSION OF
DISCOVERY DEADLINES (Second
Request)**

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16 The above named parties, by and through their respective counsel of record, hereby submit
17 the following STIPULATION FOR EXTENSION OF DISCOVERY DEADLINES (Second
18 Request).

19 **A. DISCOVERY COMPLETED TO DATE**

20 This matter involves a slip and fall at one of Defendant's stores. On September 20, 2017, the
21 parties held an initial Rule 26(f) Conference. Defendant served its initial disclosure of witnesses and
22 documents on September 18, 2017. Plaintiff served her initial disclosure of witnesses and
23 documents on September 21, 2017. Plaintiff served her first supplemental disclosure of witnesses
24 and documents on October 2, 2017. On September 27, 2017, the Court entered a Stipulated
25 Discovery Plan/Scheduling Order. On November 29, 2017, the Court granted the parties' first
26 stipulated request to extend discovery deadlines.
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1 On October 17, 2017, Defendant propounded a First Set of Interrogatories and First Set of
2 Requests for Production of Documents upon Plaintiff. Plaintiff served her responses to those written
3 discovery requests on November 20, 2017. On January 25, 2018, Plaintiff propounded a First Set of
4 Interrogatories and First Set of Requests for Production of Documents upon Defendant.

5 On November 9, 2017, Plaintiff noticed the depositions of three of Defendant's current
6 employees and the deposition of one of Defendant's former employees for November 28, 2017. Due
7 to the length of the depositions, the parties were only able to complete the deposition of the former
8 employee and one of the current employees on November 28. Plaintiff has re-noticed the other two
9 depositions for February 8, 2018. The parties are also working to schedule additional depositions of
10 Defendant's former and current employees.

12 Defendant has requested Plaintiff's medical records and films directly from her medical
13 providers through records authorizations provided by Plaintiff. Defendant has received some, but
14 not all, of the requested records and films.

15 **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

16 Defendant is still obtaining Plaintiff's medical records through authorizations provided by
17 Plaintiff. Defendant needs to conduct the deposition of Plaintiff, a witness who was with her at the
18 time of the subject incident, and at least two of Plaintiff's treating healthcare providers once
19 Defendant has received Plaintiff's medical records directly from the providers. Plaintiff continues to
20 experience symptoms she attributes to the subject incident and anticipates requiring future treatment
21 so Defendant may seek to have Plaintiff appear for a Rule 35 Examination. Defendant will respond
22 to Plaintiff's written discovery requests.

24 Plaintiff will conduct the two depositions of Defendant's current employees and intends to
25 conduct the depositions of additional employees and representatives. The parties also anticipate
26 designating expert witnesses and conducting the depositions of any designated expert witnesses.

C. REASONS WHY DISCOVERY HAS NOT BEEN COMPLETED

Defendant is still in the process of obtaining Plaintiff's medical records and films. Defendant needs to obtain those records before conducting the depositions of Plaintiff and her treating healthcare providers. Defendant also needs to obtain those records and films to provide to Defendant's medical expert. Also, as Plaintiff continues to experience symptoms she attributes to the subject incident and anticipates requiring future treatment, Defendant will likely seek to have Plaintiff attend a Rule 35 Examination.

Plaintiff needs to conduct the depositions of Defendant's employees prior to the disclosure of expert witnesses. Defendant's employees had limited availability for deposition due to their job duties during the holidays.

All of this discovery cannot be completed and provided to expert witnesses to allow them to complete expert reports prior to the current initial expert disclosure deadline. Accordingly, the parties request a sixty day extension of the current discovery deadlines.

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DATED this 26th day of January, 2018.

**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**

BY: /s/ JOSEPH J. WIRTH

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Dated this 29th day of January, 2018.

UNITED STATES MAGISTRATE JUDGE